dated 19 March 2009; the Affidavit of Mr Ceretti dated 27 February 2009; and the Affidavit of Peter Brigham (as Director of the El Prela Trustee) dated 19 March 2009, served in connection with the Monaco Freezing Order The Court of First Instance of the Principality of Monaco Monaco Prosecutor" Moore Stephens International" Moore Stephens International accounting and consulting association. Moore Stephens & Company Bermuda is a member of Moore Stephens Monaco are 100% subsidiaries of Moore Stephens & Company Bermuda Moore Stephens Services SAM, whose offices are at L'Estoril, 31 Avenue Princesse Grace, Monte Carlo, MC 98000, Monaco. It is a company authorised by the government of the Principality of Monaco and acts as administrator to the Ashby Trustee and El Prela Trustee Mr Ceretti" Mr Grosso" Mr Carlo Grosso, settlor of the Ashby Trust		
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		US\$1,200,000

08-01789-cgm Doc 6433-12 Filed 04/23/14 Entered 04/23/14 19:12:50 Exhibit B - Part 6 Pg 2 of 3

"Third Amended Complaint"	A claim brought against the Ashby Trustee and others in the Bankruptcy Court by Mr Picard with case reference Adv. Pro. No. 09-1161 (BRL)
"Transfers"	The total sum of US\$975,541,729 received by the Kingate Funds from BLMIS in the period before Madoff's arrest
"Trott & Duncan"	Trott & Duncan Limited
"Trust Deed"	Instrument of trust relating to the El Prela Trust dated 7 April 1994
"Trustees"	The Ashby Trustee and the El Prela Trustee taken together
"Trusts"	The Ashby Trust or the El Prela Trust taken together
"Unanimous Written Resolution"	A unanimous shareholders' resolution in respect of the winding up of KML purportedly passed on 10 August 2011
"UK"	United Kingdom

THE EASTERN CARIBBEAN SUPREME COURT
IN THE HIGH COURT OF JUSTICE
BRITISH VIRGIN ISLANDS
BVIHCV 2011/
BETWEEN:

PORT OF HERCULES TRUSTEES LIMITED
(AS TRUSTEE OF THE EL PRELA TRUST)
Claimant

-and-

(1) IRVING H PICARD

(as trustee for the substantively consolidated
SIPA liquidation of Bernard L Madoff Investment
Securities LLC and the estate of Bernard L

Madoff)

(2) KINGATE GLOBAL FUND LIMITED (IN LIQUIDATION)
(acting by William R Tacon and Richard E Fogerty as joint liquidators)

(3) KINGATE EURO FUND LIMITED (IN LIQUIDATION)
(acting by William R Tacon and Richard E Fogerty as joint liquidators)

(4) FEDERICO CERETTI
(as representative of the adult beneficiaries of the EI Prela Trust)

(5) MAC IMRIE
(as representative of the minor, unborn and unascertained beneficiaries of the El Prela
Trust)

(6) HER MAJESTY'S ATTORNEY GENERAL OF THE BRITISH VIRGIN ISLANDS Defendants

AFFIDAVIT OF FRANK OLIVER WALTERS

Maples & Calder Sea Meadow House, PO Box 173 Road Town Tortola VG1110 British Virgin Islands

Ref: ADI/660226